

R E M A R K S

Reconsideration of this application is respectfully requested.

As explained in the Amendment filed on October 16, 2006, according to the present invention as recited in independent claim 17, the control means of the data recording and reproducing apparatus is provided for switching a display of the display means when the audio data is being reproduced by the audio data reproducing means such that the image data associated with the audio data is displayed for a predetermined time upon reproducing the audio data, and such that character data representing at least an elapsed reproduction time of the audio data being reproduced is displayed as information on a reproduction status of the audio data for a remaining time that the audio data is reproduced.

That is, according to the present invention as recited in independent claim 17, upon reproducing the audio data (when beginning audio data reproduction), the image data which is associated with the audio data is displayed. Then, at the point in time when a predetermined length of time has passed, display of the image data is terminated and character information indicating an elapsed reproduction time of the audio data is displayed instead, and display of the character information is continued until reproduction of the audio data is terminated.

With this structure of the present invention, the image associated with the audio data can be used to confirm the identity of the speaker, and after the image has been displayed for a predetermined period of time to identify the speaker, information on a reproduction status of the audio data is displayed for a remaining time that the audio data is reproduced.

Thus, according to the present invention as recited in independent claim 17, a display of the display means is switched between (i) displaying image data associated with audio data for a predetermined time (upon reproducing the audio data) and (ii) displaying character data representing at least an elapsed reproduction time of the audio data being reproduced for a remaining time that the audio data is reproduced.

The Examiner asserts that the newly cited combination of US 2005/0185002 ("Kitsugi et al") and USP 4,858,031 ("Fukuta") discloses switching the display of a display while reproducing audio data in the manner recited in independent claim 17.

It is respectfully submitted, however, that, like the previously cited combination of references, Kitsugi et al and Fukuta, even if taken in combination, do not disclose, teach or suggest switching after a predetermined time from displaying image data associated with reproduced audio data to displaying character data representing at least an elapsed reproduction time of the audio data for a remaining time that the audio data is

reproduced, as according to the present invention as recited in independent claim 17.

Indeed, it is respectfully pointed out that, as explained in more detail below, the disclosure of Kitsugi et al cited by the Examiner explicitly contradicts the Examiner's assertion that Kitsugi et al discloses or could be modified to achieve "switching" a display after displaying image data for a predetermined time during the reproduction of audio data, and it is respectfully submitted that Fukuta contains no disclosure to suggest that the information displayed according to Fukuta would be displayed for a remaining time that the audio data is reproduced except for the predetermined time that the image data is reproduced.

The Examiner has cited paragraphs [0098] and [0128] of Kitsugi et al with respect to the feature of the present invention as recited in claim 17 whereby control means of a data recording and reproducing apparatus is provided for switching a display of the display means when the audio data is being reproduced by the audio data reproducing means such that the image data associated with the audio data is displayed for a predetermined time upon reproducing the audio data.

It is respectfully pointed out, however, that paragraph [0098] of Kitsugi et al actually merely discloses:

if the sound information bar at "10:05", as shown in FIG. 9, is pressed by the pen type pointing

device 100, the CPU 36 reads sound data corresponding to the selected recording date and time (10:05) from the sound area 61 of the memory card 24 and supplies the sound data to the sound IC 38 (paragraph [0098], lines 1-6)

Paragraph [0098] of Kitsugi et al further discloses that the sound data is decompressed and output through a speaker or ear phone. That is, paragraph [0098] of Kitsugi et al merely discloses reading out and reproducing audio data.

Kitsugi et al does discloses that audio data and image data may be reproduced simultaneously, as recognized by the Examiner. However, Kitsugi et al does not disclose, teach or suggest switching a display of the display means when the audio data is being reproduced by the audio data reproducing means such that the image data associated with the audio data is displayed for a predetermined time upon reproducing the audio data.

Indeed, paragraph [0128] of Kitsugi et al, which was cited by the Examiner, discloses

When the reproduced image consists only of sound data, the image data that is displayed immediately before the sound data is displayed continuously until the reproduction of the sound data is completed.

Thus, paragraph [0128] of Kitsugi et al, which the Examiner asserts discloses the switching of the present invention, explicitly discloses not switching the display, and in fact

discloses that image data is displayed until the sound data reproduction is completed.

Fukuta, moreover, has been cited as disclosing that "character data representing at least an elapsed reproduction time of the audio data being reproduced is displayed as information on a reproduction status of the audio data for a remaining time that the audio data is reproduced."

It is respectfully pointed out, however, that Fukuta merely discloses always displaying information relating to elapsed reproduction time. And it is respectfully submitted that Fukuta does not disclose, teach or suggest displaying information on the reproduction status of audio data "for a remaining time" as according to the present invention as recited in claim 17.

Thus, it is respectfully pointed out that Kitsugi et al discloses continuously displaying image data for the entire time that given sound data is being reproduced, and Fukuta discloses displaying information relating to the reproduction status (see Fig. 6) throughout the reproduction of the audio data.

Accordingly, it is respectfully submitted that Kitsugi et al and Fukuta cannot logically be combined to achieve a structure whereby switching of a display is performed when the audio data is being reproduced by the audio data reproducing means such that the image data associated with the audio data is displayed for a predetermined time upon reproducing the audio data, and such that

character data representing at least an elapsed reproduction time of the audio data being reproduced is displayed as information on a reproduction status of the audio data for a remaining time that the audio data is reproduced in the manner of the present invention as recited in independent claim 17.

According to independent claim 18, moreover, as explained in the Amendment filed on October 16, 2006, the data recording and reproducing apparatus includes control means for: (i) controlling the display means such that when the audio data is being reproduced by the audio data reproducing means and when it is determined by the determining means that there is no image data associated with the audio data in the memory, character data representing at least an elapsed reproduction time of the audio data being reproduced is displayed by the display means as information on a reproduction status of the audio data, and (ii) switching a display by the display means such that when the audio data is being reproduced by the audio data reproducing means and when it is determined that there is image data associated with the audio data in the memory, the image data associated with the audio data is displayed for a predetermined time upon reproducing the audio data and the character data representing at least the elapsed reproduction time of the audio data being reproduced is displayed as information on a

reproduction status of the audio data for a remaining time that the audio data is reproduced.

Thus, with the structure recited in claim 18, only if there is image data associated with audio data is switching performed from displaying the image data associated with the audio data for a predetermined period of time (from the start of the audio data) to displaying character data representing at least the elapsed reproduction time of the audio data being reproduced as information on a reproduction status of the audio data for a remaining time that the audio data is reproduced.

With this structure of the present invention, if image data is available, the image associated with the audio data can be used to confirm the identity of the speaker, and after the image has been displayed for a predetermined period of time to identify the speaker, information on a reproduction status of the audio data is displayed for a remaining time that the audio data is reproduced.

In a similar manner to claim 17, it is respectfully submitted that the cited references also do not disclose, teach or suggest the features of the present invention as recited in independent claim 18.

Still further, according to independent claim 19, as explained in the Amendment filed on October 16, 2006, a memory stores audio data and at least one piece of image data associated

with the audio data, wherein each piece of image data is associated with a specific elapsed recording time of the audio data. As recited in independent claim 19, the apparatus includes control means for switching the display of the display means such that when it is determined that a piece of image data is associated with the elapsed reproduction time, the piece of image data associated with the elapsed reproduction time of the audio data is displayed for a predetermined time, and such that character data representing at least the elapsed reproduction time of the audio data being reproduced is displayed as information on a reproduction status of the audio data while no piece of image data is displayed while the audio data is being reproduced.

With the structure of the present invention as recited in claim 19, even if there are several speakers, it is possible to visually confirm the speakers while listening to the audio data because images of the speakers are associated with respective recording times of the audio data. And after an image is displayed for a predetermined period of time to identify a speaker, the information on a reproduction status of the audio data while no piece of image data is displayed while the audio data is being reproduced.

As explained hereinabove with respect to claim 17, it is respectfully submitted that none of the cited references disclose

switching between displaying image data and displaying character data representing at least the elapsed reproduction time of the audio data being reproduced as according to the present invention as recited in independent claim 19.

In view of the foregoing, it is respectfully submitted that the present invention as recited in each of independent claims 17-19 clearly patentably distinguishes over the combination of Kitsugi et al and Fukuta, and all of the cited references, taken singly or in any combination, under 35 USC 102 as well as under 35 USC 103.

* * * * *

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900

DH:iv/nps